

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled PHENYL-INDOLE COMPOUNDS FOR MODULATING IGE AND INHIBITING CELLULAR PROLIFERATION; the specification of which was filed on September 12, 2003 as Application Serial No. 10/661,139.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby claim the benefit under Title 35, United States Codes § 119(e) of any United States provisional application(s) listed below.

Filing Date: September 12, 2002 Application No.: **60/410,777**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Jagadish C. Sircar

Inventor's signature

Residence: 4832 Riding Ridge Road, San Diego, CA 92130

Citizenship: USA

Post Office Address: Same as Above

Full name of second inventor: Jailall Ramnauth
Inventor's signature
Date
Residence: 101-200 Lotherton Pathway, Toronto, Ontario, Canada M6B 2G9
Citizenship: Canada
Post Office Address: Same as Above
Full name of third inventor: Mark L. Richards Inventor's signature Date November 19, 2003 Residence: 8532 B Via Mallorca, La Jolla, CA 92037 Citizenship: USA Post Office Address: Same as Above

Send Correspondence To: KNOBBE, MARTENS, OLSON & BEAR, LLP Customer No. 20,995

CCT-5333.DOC:cb 110703



ON - USA PATENT APPLICATION

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Full name of first inventor: Jagadish C. Sircar

Inventor's signature

Date _

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Full name of second inventor: Jailall Ramnauth
Inventor's signature
Date $\frac{00000000000000000000000000000000000$
Residence: 101-200 Lotherton Pathway, Toronto, Ontario, Canada M6B 2G9
Citizenship: Canada
Post Office Address: Same as Above
Full name of third inventor: Mark L. Richards Inventor's signature
Date November 19, 2003
Residence: 8532 B Via Mallorca, La Jolla, CA 92037
Citizenship: USA
Post Office Address: Same as Above
Send Correspondence To: KNOBBE, MARTENS, OLSON & BEAR, LLP Customer No. 20,995

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N THE ENITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Jagadish C. Sircar, et al.			
App. No.	:	10/661,139)		
Filed	:	September 12, 2003)		
For	:	PHENYL-INDOLE COMPOUNDS FOR MODULATING IGE AND INHIBITING CELLULAR PROLIFERATION)		
Examiner	:	Unknown)		

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION AND REVOCATION AND POWER OF ATTORNEY

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventors to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventors to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 2040

App. No.

10/661,139

Filed

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September 12, 2003

Main Street, Fourteenth Floor, Irvine, California 92614, Telephone (949) 760-0404, Customer No. 20,995, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventors and their attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use Customer No. 20,995 for all communications.

AVANIR PHARMACEUTICALS

Dated: 12/9/03

By: Jagodish Chiean

Landish C. Sircar Ph.D.

Title: Vice President Drug Discovery

Address: 11388 Sorrento Valley Road, Suite 200

San Diego, CA 92121

CCT-5331.DOC:CB 112103

Application No.: 10/661,139 Filing Date: September 12, 2003



PATENT
Client Code: AVANIR.111A

Page 1

ASSIGNMENT

WHEREAS, We, Jagadish C. Sircar, a citizen of the United States of America, residing at 4832 Riding Ridge Road, San Diego, CA 92130; Jailall Ramnauth, a citizen of Canada, residing at 101-200 Lotherton Pathway, Toronto, Ontario, Canada M6B 2G9; and Mark L. Richards, a citizen of the United States of America, residing at 8532 B Via Mallorca, La Jolla, CA 92037, have invented certain new and useful improvements in a PHENYL-INDOLE COMPOUNDS FOR MODULATING IGE AND INHIBITING CELLULAR PROLIFERATION, for which we have filed an application for Letters Patent in the United States, Application No. 10/661,139, filed on September 12, 2003;

AND WHEREAS, Avanir Pharmaceuticals (hereinafter "ASSIGNEE"), a California Corporation, with its principal place of business at 11388 Sorrento Valley Road, Suite 200, San Diego, CA 92121, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 14th day of November, 2003

Jagadish Cluica Jagadish C. Sircar

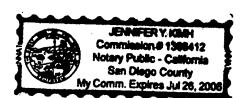
STATE OF California } ss.

COPY

On November 14, 2003, before me, Tennifer Y kimb, Notary Public, personally appeared Jagadish C. Sircar personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Notary Signature J. Keml-

Application No.: 10/661,139 Filing Date: September 12, 2003

Client Code: AVANIR.111A

Page 2

IN TESTIMONY	WHEREOF, I hereunto set n	ny hand and seal this	day of	, 20
		Jailall Ramhautl		
CTLA TITLE OF)		Ų	,
STATE OF	} 00	•		•
COUNTY OF	} ss.			
On	, before me,		, personally appe	ared Jailall Ramnauth,
to the within instrument, as	r proved to me on the basis of and acknowledged to me that the person, or the entity upon and and official seal.	t he executed the same	in his authorized o	capacity, and that by his
[SEAL]				· - · · · · · · · · · · · · · · · · · ·
		Notary Signature		
	WHEREOF, I hereunto set n	Mark L. Richard	MA	
STATE OF CALIFORN	JIA]			
STATE OF CAUFORA COUNTY OF SAN DIE	60 } ss.			
personally known to me (or to the within instrument, ar	before me, Jennifer proved to me on the basis on acknowledged to me that the person, or the entity upon	of satisfactory evidence) the executed the same	to be the person w in his authorized o	hose name is subscribed capacity, and that by his
WITNESS my han	d and official seal.		_	_
[SEAL]	JENNIFER Y. KIMH Commission # 1368412 Notary Public - California San Diego County by Comm. Expires Jul 28, 2008	Notary Signature	. Y. Kind	

CCT-5332.DOC:cb 110703

COPY

PATENT Client Code: AVANIR.111A Page 2 DALJEET S. SAINI Ont. M9V 2X7

Application No.: 10/661,139 Filing Date: September 12, 2003 IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 4 day of Que. , 2003. J. Rannouth. STATE OF SS. COUNTY OF METRO TO PURO) On ______, before me, __________, personally appeared Jailall Ramnauth, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his ignature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument. NESS my hand and official seal. **Notary Signature** Barrister, Solicitor & Notary Public 2683 Islington Ave., Toronto Ph. 416-740-7000 Fax 416-740-4125 ESTIMONY WHEREOF, I hereunto set my hand and seal this 19 day of November, STATE OF CALIFORNIA COUNTY OF SAN DIEGO

On November 19,2003, before me, Jennifer Y. kimh, Notony Public, personally appeared Mark L. Richards personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

JENNIFER Y, KIMH Commission#1368412 Notary Public - California San Diego County Comm. Expires Jul 28, 2000

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